

AUG 20 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

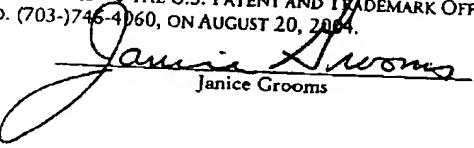
PATENT

Inventor(s): JAMES R. MUJWID et al.
 Appl. No.: 10/821,298
 Filing Date: April 9, 2004
 Title: VARIABLE-AXIS SURGICAL DRIVER

Examiner:
 Group Art Unit: 3732
 Docket No. 75028-307907

Mail Stop Missing Parts
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
 TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE (FAX
 NO. (703)-746-4960, ON AUGUST 20, 2004.


 Janice Grooms

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. § 1.53(d)**

In response to the Notice to File Missing Parts of Application mailed June 22, 2004, Applicant has enclosed herewith the following documents to complete the above-identified application filed April 9, 2004:

1. Copy of Notice to File Missing Parts of Application Filing Date Granted;
2. Two signed Power of Attorney and correspondence address indication forms;
3. Credit Card Authorization Form in the amount of \$1,292.00 to cover the Patent Application Filing Fee and Surcharge Fee.

If the amounts submitted herewith are incorrect for the entry of these papers, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and is requested to notify us of the same.

Respectfully Submitted,

JAMES R. MUJWID et al.

By:


 Tong Wu, #43,361
 FAEGRE & BENSON LLP
 2200 Wells Fargo Center
 90 South Seventh Street
 Minneapolis, MN 55402-3901
 612/766-6804

Dated: August 20, 2004

M2:20649461.01



FAEGRE & BENSON LLP

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET
 MINNEAPOLIS, MINNESOTA 55402-3901
 TELEPHONE 612-766-7000
 FACSIMILE 612-766-1600

FACSIMILE TRANSMITTAL SHEET
 Minneapolis Document Service Center (20th Floor)
 Facsimile No. 612/766-1600

THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

Date: August 20, 2004

Time: _____ m. (Minneapolis)

Number of pages (including this page):

F&B File No.: 75028- Rec.: 993
 307907

From: Tong Wu

Telephone Number: 612/766-6804

To: Mail Stop Missing Parts
 Commissioner of Patents

Fax No.: 703/746-4060

Inventor(s): JAMES R. MUJWID et al.

Examiner:

Appln. No.: 10/821,298

Group Art Unit: 3732

Filing Date: April 9, 2004

Docket No. 75028-307907

Title: VARIABLE-AXIS
 SURGICAL DRIVER

Attached for filing:

Response to Notice to File Missing Part: (1 pg);
 Notice to File Missing Parts (2 pgs);
 Power of Attorney of inventor Gisel (1 pg);
 Power of Attorney of inventor Mujwid (1 pg);
 Credit Card authorization form in the amount of \$1,292.

M2:20649453.01

AUG 23 2004
 OPIE / JCWS

RECEIVED

If you do not receive all pages, please call the Fax Center at
 612/766-1650 or Jan Grooms at 612/766-7814.

OPIE
AUG 20 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,298	04/09/2004	James R. Mujwid	6683.92USU1

Merchant & Gould P.C.
 P.O. Box 2903
 Minneapolis, MN 55402-0903

CONFIRMATION NO. 1231
 FORMALITIES LETTER

OC000000013023278

Date Mailed: 06/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
 08/23/2004 EAREGAY1 00000079 10821298

01 FC:1001	770.00 -0P
02 FC:1051	130.00 -0P
03 FC:1201	86.00 -0P
04 FC:1202	306.00 -0P

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) or \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$392 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1292 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

• Total additional claim fee(s) for this application is \$392

01 FC:1001	770.00 -0P
02 FC:1051	130.00 -0P
03 FC:1201	86.00 -0P
04 FC:1202	306.00 -0P

Page 2 of 2

- \$86 for 1 independent claims over 3.
- \$306 for 17 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

WJD
Customer Service Center
Initial Patent Examination Division (703) 308-1201
PART 2 - COPY TO BE RETURNED WITH RESPONSE